

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

EQUAL EMPLOYMENT OPPORTUNITY	§	
COMMISSION,	§	
	§	
Plaintiff,	§	
	§	Civil Action No. 3:08-CV-1552-D
VS.	§	
	§	
SERVICE TEMPS, INC., d/b/a	§	
SMITH PERSONNEL SOLUTION,	§	
	§	
Defendant.	§	

AMENDED JUDGMENT

This case was tried to a jury, which returned a verdict in favor of plaintiff. The court entered a judgment on the verdict. Thereafter, the court granted plaintiff's application for injunctive relief and prejudgment interest. The court denied defendant's motion for a new trial on the condition that plaintiff accept a remittitur of the punitive damages award. Plaintiff accepted the remittitur on January 10, 2011.

Accordingly, it is ordered and adjudged that plaintiff recover judgment from defendant as follows: \$14,400.00 in back pay; prejudgment interest on the back pay award at the rate of 3.25%, compounded annually, from June 29, 2006 through September 22, 2010; \$20,000 in compensatory damages; and \$68,800 in punitive damages, together with post-judgment interest on these sums at the rate of 0.26% per annum.

It is further ordered and adjudged that defendant, its officers, agents, servants, employees, and attorneys, and all those in active concert or participation with it who receive actual notice of this judgment by personal service or otherwise, are permanently enjoined from discriminating against any employee who is disabled, regarded as disabled, or who has a record of a disability.


Defendant must provide all current employees a copy of the “NOTICE TO EMPLOYEES” attached as document 92-1 to plaintiff’s proposed injunction form, and post copies of the notice in conspicuous places in each of the offices that defendant operates.

Defendant must provide one hour of training to all managers, branch managers, and account managers concerning hearing impairments and hiring persons under the Americans with Disabilities Act of 1990 (“ADA”), including, specifically, hiring, employing, and placing persons with hearing impairments under the ADA.

Defendant must notify plaintiff of all instances in which an employee makes a complaint of disability discrimination.

Plaintiff’s taxable costs of court, as calculated by the clerk of court, are assessed against defendant.

Done at Dallas, Texas January 11, 2011.



SIDNEY A. FITZWATER
CHIEF JUDGE